

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

SARAH FELTS,)	
)	
Plaintiff,)	
)	
v.)	Cause No.: 4:20-cv-0821-JAR
)	
JOSEPH VOLLMER, in his official)	
capacity as President of the Board)	
of Aldermen of the City of St. Louis,)	
)	
Defendant.)	

DEFENDANT’S SECOND MOTION IN LIMINE

Defendant City of St. Louis moves this Court preclude Plaintiff from eliciting any testimony from any person regarding any allegation, or any fact connected with any allegation, made by the United States or any other person against Lewis Reed that he committed any offense under the United States Code, and for which an indictment has been filed against Mr. Reed in this Court.

Federal Rule of Evidence 404(a)(1) states that “[e]vidence of a person’s character or character trait is not admissible to prove that on a particular occasion the person acted in accordance with the character or trait.” Federal Rule of Evidence 404(b)(1) provides that “[e]vidence of any other crime, wrong, or act is not admissible to prove a person’s character in order to show that on a particular occasion the person acted in accordance with the character.” Any attempt by Plaintiff to elicit testimony regarding any criminal or other improper act by Lewis Reed that is not directly tied

to his blocking of Plaintiff from his Twitter account would be improper and inadmissible pursuant to FRE 404.

Additionally, Federal Rule of Evidence 403 provides that a court may exclude “evidence if its probative value is substantially outweighed by a danger of...unfair prejudice, confusing the issues...undue delay [and/or] wasting time.” Plaintiff’s Complaint makes no mention of criminal conduct, nor in any way references or even implies that his interaction with Plaintiff was connected in any way with the conduct referred to in the indictment. Mr. Reed has not been convicted of any wrongdoing. Accordingly, any attempt by Plaintiff to question any witness on the stand about these matters would result in unfair prejudice to the City, could confuse the issues, and certainly result in undue delay and wasted time.

WHEREFORE, the City of St. Louis moves this Court preclude Plaintiff from seeking to solicit any testimony from any person regarding any allegedly criminal act committed by Lewis Reed, and to in fact exclude any such evidence from the record.

Respectfully submitted,

**SHEENA HAMILTON
CITY COUNSELOR**

By: /s/ Steven R. Kratky

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and complete copy of the foregoing was served upon all counsel of record on this 23rd day of June, 2022, by filing same in the Court's electronic filing system.

/s/ Steven R. Kratky